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UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA and  
STATE OF UTAH, on behalf of the UTAH  
DEPARTMENT OF ENVIRONMENTAL  
QUALITY, UTAH DIVISION OF AIR  
QUALITY,

Plaintiffs,

v.

EP Energy E&P Company, L.P.,

Defendant.

Case No. 2:22-cv-00225-DBB

**Notice of Lodging  
Consent Decree**

Plaintiff, the United States of America, by and through the undersigned attorneys, hereby lodges with the Court a proposed Consent Decree (attached as Exhibit 1) that, if entered by the Court, would resolve the United States' claims against EP Energy E&P Company, LP ("EP Energy"). The United States and the State of Utah filed this lawsuit under the Clean Air Act, 42 U.S.C. § 7401 et seq., alleging violations of the Clean Air Act's New Source Performance Standards and State law. The Complaint seeks injunctive relief and civil penalties.

The proposed Consent Decree requires EP Energy to pay a \$700,000 civil penalty, to be split evenly between the United States and Utah, implement a mitigation project, and take specific action to come into compliance with the Clean Air Act. If entered by the Court, the proposed Consent Decree would conclude this matter in its entirety. *No action by the Court is required at this time.* Pursuant to Department of Justice regulations codified at 28 C.F.R. § 50.7 and Paragraph 111 of the Consent Decree, the United States is required to publish a notice in the *Federal Register* that the proposed Consent Decree has been lodged with the Court. The notice will solicit public comment for a period of thirty (30) days. After the close of the comment period, the United States will evaluate any comments received and will request the Court to take appropriate action regarding the Consent Decree.

Respectfully submitted,

FOR THE UNITED STATES, ON BEHALF  
OF THE U.S. ENVIRONMENTAL  
PROTECTION AGENCY

NATHANIEL DOUGLAS  
Deputy Section Chief  
Environmental Enforcement Section  
Environment and Natural Resources  
Division  
U.S. Department of Justice

/s/ James D. Freeman  
JAMES D. FREEMAN  
Environmental Enforcement Section  
U.S. Department of Justice

Attorneys for Plaintiff United States of America

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day by electronic mail to:

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/s/ James D. Freeman  
JAMES D. FREEMAN